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9 BANCO de MEXICO, S.A.; BANCO de CREDITO
10 RURAL, S.A. as successor in interest to the BANCO
10 de CREDITO AGRICOLA, S.A.; and PATRONATO del
11 AHORRO NACIONAL, S.A.; as successor in interest to
11 the BANCO del AHORRO NACIONAL, S.A.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14
15 SENORINO RAMIREZ CRUZ; LEOCADIO
16 de la ROSA; LIBORIO SANTIAGO PEREZ;
16 FELIPE NAVA; IGNACIO MACIAS; and
17 RAFAEL NAVA, on behalf of themselves and
17 all others similarly situated,

18 Plaintiffs,

19 v.

20 UNITED STATES OF AMERICA; ESTADOS
21 UNIDOS MEXICANOS; WELLS FARGO
22 BANK; BANCO de MEXICO, BANCO
22 NACIONAL de CREDITO RURAL, S.N.C., as
23 successor in interest to the BANCO de CREDITO
23 AGRICOLA, S.A.; and PATRONATO del
23 AHORRO NACIONAL, as successor in interest
23 to the BANCO del AHORRO NACIONAL, S.A.

24 Defendants.

Case No. C 01 0892 CRB

Consolidated with:

Case No. C 02-1942 CRB
Case No. C 02-1943 CRB
Case No. C 02-1944 CRB

25
26 ORDER AMENDING
27 JUNE 16, 2005 ORDER

28 Now before the Court is the Mexican Defendants' motion to amend the Court's
Amended Memorandum and Order, Cruz v. United States, No. C 01- 0892 (CRB) (N.D. Cal.
June 16, 2005) (the "Order"), to certify it for appeal, pursuant to 28 U.S.C. § 1292(b). The

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NORTHERN DISTRICT OF CALIFORNIA
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RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 Order is hereby amended to add the following to page 36 before the section entitled
2 "Conclusion:"

3 **VII. Certification for Appeal pursuant to § 1292(b)**

4 Pursuant to 28 U.S.C. § 1292(b), a district court may certify for immediate appeal
5 certain "order[s that would] not otherwise [be] appealable" The Court finds that the issues
6 raised by sections I, III and VI, infra, all are "[*i*] controlling questions of law [*ii*] as to
7 which there is substantial ground for difference of opinion and [*iii*] that an immediate appeal
8 from the order may materially advance the ultimate termination of the litigation." 28 U.S.C. §
9 1292(b). See James v. Price Stern Sloan, Inc., 283 F.3d 1064, 1068 (9th Cir. 2002).

10 **IT IS SO ORDERED.**

11 Dated: July 9, 2005

12 *Signature* 9 2005

13 
14 The Hon. CHARLES R. BREYER
15 UNITED STATES DISTRICT JUDGE